

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

ISAAC A., <i>et al.</i> , Plaintiffs, v. RUSSEL CARLSON, <i>et al.</i> , Defendants.	Civil Action No. 1:24-CV-00037-AT
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**PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION TO STAY
PROCEEDINGS PENDING APPEAL AND, ALTERNATIVELY,
MOTION FOR EXTENSION OF TIME**

Plaintiffs acknowledge Defendants' limited right of appeal from this Court's March 25, 2025 Order, and that a stay is consistent with this Court's prior ruling. *See* Order, ECF No. 38 (3/28/2025) (granting Defendants' previous motion to stay discovery); Opinion and Order, ECF No. 47 (3/25/2025). Plaintiffs object to the scope of the appellate court's pendant jurisdiction asserted by Defendants. *See Schultz v. Alabama*, 42 F.4th 1298, 1313 (11th Cir. 2022).

Plaintiffs oppose Defendant's request for a 30-day extension of their time to answer, serve initial disclosures, and conduct the early planning conference. *See* Defs.' Mot. to Stay, ECF No. 50 (4/4/2025), at 1-2. Given the continuing harms to the Plaintiffs and putative class members and the anticipated delay associated with

Defendants' appeal, Plaintiffs agreed to provide Defendants seven days from any denial of their Motion to Stay or remand by the Eleventh Circuit to complete these foreseeable tasks. Plaintiffs submit that seven days is reasonable under the circumstances. Plaintiffs therefore request that Defendants be ordered to answer, and that the Parties be ordered to serve initial disclosures, conduct the required early planning conference *and* file the required Joint Preliminary Report and Discovery Plan within seven days of this Court's denial of Defendants' stay motion or remand by the Eleventh Circuit. *See* L.R. 16.1-2.

Respectfully submitted this 11th day of April, 2025.

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L.R. 7.1(D) CERTIFICATION

I certify that *Plaintiffs' Response to Defendants' Motion to Stay Proceedings Pending Appeal and, Alternatively, Motion for Extension of Time* has been prepared with one of the fonts and point selections approved by the Court in Local Rule 5.1(C). Specifically, this document has been prepared using 14-pt Times New Roman Font on this 11th day of April, 2025.

/s/ M. Geron Gadd

M. Geron Gadd

CERTIFICATE OF SERVICE

I certify that I electronically filed the foregoing using the CM/ECF system, which will send notification of such filing to all counsel of record.

This 11th day of April, 2025.

/s/ M. Geron Gadd

M. Geron Gadd